

Seth L. Rosenberg (SR4563)  
Paul S. Hugel (PH4749)  
Wayne E Gosnell (WG2422)  
CLAYMAN & ROSENBERG LLP  
305 Madison Avenue - Suite 1301  
New York, New York 10165  
(212) 922-1080 phone  
(212) 949-8255 facsimile  
ATTORNEYS FOR DEFENDANTS  
ARKADY VAYGENSBERG, LEONID TATARCHUK, STEFAN  
STEFANOV, ARKENSBERG, LLC, ROMANIROV, LLC,  
ELMWOOD VENTURES, LLC, NICHOLAS BARTHELEMY, AND  
BB NY OPERATIONS 357<sup>TH</sup> ST., LLC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MPROSIEMO LIMITED,

Plaintiff,

-against-

ARKADY VAYGENSBERG,  
LEONID TATARCHUK,  
STEFAN STEFANOV,  
ARKENSBERG, LLC,  
NIS, INC.,  
ROMANIROV, LLC  
ELMWOOD VENTURES, LLC  
NICHOLAS BARTHELEMY,  
GEORGE V. EATERTAINMENT, S.A.  
JOHN DOES 1 through 10,

Defendants,

and

BB NY OPERATIONS 357<sup>th</sup> St. LLC,

Nominal Defendant.

**CASE NO. 17-CV-3745(KBF)**

**DECLARATION OF PAUL S. HUGEL IN SUPPORT OF  
THE MOTION TO DISMISS THE COMPLAINT BY  
DEFENDANTS ARKADY VAYGENSBERG, LEONID TATARCHUK, STEFAN  
STEFANOV; AND NICHOLAS BARTHELEMY**

**PAUL S. HUGEL**, hereby declares:

1. I am a member of the law firm of Clayman & Rosenberg LLP, attorneys for Defendants Arkadiy Vaygensberg; Leonid Tatarchuk; Stefan Stefanov; and Nicholas Barthelemy (the "Moving Defendants"). I offer this declaration in support of the Moving Defendants' motion to dismiss the complaint pursuant to Rule 12(b)(1), (2), and (5) of the Federal Rules of Civil Procedure. The statements made herein are based upon personal knowledge derived from my review of legal documents, business records and public records.

2. Annexed hereto are genuine copies of the following documents:

Exhibit A: The Complaint filed in this action (ECF No. 1)

Exhibit B: The civil cover sheet filed in this action (ECF No. 2)

Exhibit C: Affidavit of Service of Summons and Complaint on Defendant Stefanov (ECF No. 29)

3. The Moving Defendants have made no prior requests for the relief sought herein.

Dated: June 23, 2017  
New York, New York

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Paul S. Hugel